Updates To the
Summary Plan Descriptions and
Other Benefit Summaries

To RIT Faculty and Staff:

To comply with the requirements of the Employee Retirement Income Security Act (ERISA), we are providing you with this summary of material changes and clarifications to the descriptions of employee benefit plans. This update is a “summary of material modifications” (SMM) required by ERISA.

For those who received a hard copy Summary Plan Descriptions and Other Benefit Summaries, you should keep this SMM with that book.

All of the summaries published on the HR website (www.rit.edu/benefits) have been updated for the changes outlined in this SMM. In addition, we have posted this SMM on the HR website in the Summary Plan Descriptions and Other Benefit Summaries page.

This update modifies the summary plan descriptions of a number of RIT’s employee benefit plans. Benefits under each plan are determined by the terms of the underlying plan documents and contracts. In the event of any inconsistency between this update, the handbook and the plan document or contract, the plan document or contract will govern your rights and benefits.

This update is being provided to all regular full-time and part-time employees as well as adjunct employees. Therefore, some of the plans may apply to you and others may not. Your eligibility for any RIT benefit plan is not established merely by your receipt of this update.

RIT intends to continue the benefit plans indefinitely, but reserves the right to modify or terminate all or any portion of the employee benefits package at any time with or without notice. Such changes automatically will apply to you and your employment relationship at RIT. Participation in these plans is provided to eligible employees and does not constitute a guarantee of employment, requires continued employment and eligibility and is subject to the terms and conditions of the underlying plan documents and contracts.

Issue Date: July 30, 2021
**MEDICAL CARE AND PRESCRIPTION DRUG PLAN**

**Medical Section**
The section titled *Rochester Regional Health and RIT Alliance and How RIT Employees Can Benefit* has been modified as follows:

Under *Rochester Regional Health (RRH) Copay Option*, inpatient hospitalization and outpatient facility have been removed.

The following note has been added:
**Important Note:** Since participating physicians can change from time to time, before scheduling an appointment with a provider from this list, you should verify that they still participate in the RRH network.

The third bullet in the *Coverage changes Related to the COVID-19 Pandemic* has been modified to read as follows:
- Required prior authorizations will be waived for inpatient admissions that are medically necessary and consistent with CDC guidance for members diagnosed with COVID-19.

**POS Medical Plan Updates**
The *Medical Benefits Comparison Book* is a separate document but it is part of the Medical Care and Prescription Drug Plan Summary Plan Description. Effective January 1, 2021, it is updated as follows:

<table>
<thead>
<tr>
<th>In-Network Service</th>
<th>POS A</th>
<th>POS B</th>
<th>POS D</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>RRH</td>
<td>Other In-Network</td>
<td>RRH</td>
</tr>
<tr>
<td><strong>Copay Services</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Telemedicine - MD Live</td>
<td>$10</td>
<td>$10</td>
<td>$10</td>
</tr>
<tr>
<td>RRH On-Campus Practice</td>
<td>$20</td>
<td>N/A</td>
<td>$20</td>
</tr>
<tr>
<td>Primary Care Physician (PCP)</td>
<td>$30</td>
<td>$35</td>
<td>$35</td>
</tr>
<tr>
<td>Specialist</td>
<td>$35</td>
<td>$50</td>
<td>$40</td>
</tr>
<tr>
<td>Urgent Care</td>
<td>$55</td>
<td></td>
<td>$60</td>
</tr>
<tr>
<td>Emergency Room</td>
<td>$115</td>
<td>$140</td>
<td>$140</td>
</tr>
<tr>
<td>X-ray</td>
<td>$50</td>
<td></td>
<td>$55</td>
</tr>
<tr>
<td>Lab</td>
<td>Covered in Full</td>
<td>Covered in Full</td>
<td>Covered in Full</td>
</tr>
</tbody>
</table>

**Deductible and Coinsurance Information** *(applies only to services listed in the next section)*

<table>
<thead>
<tr>
<th></th>
<th>POS A</th>
<th>POS B</th>
<th>POS D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Deductible</td>
<td>$200/$400</td>
<td>$250/$500</td>
<td>$300/$600</td>
</tr>
<tr>
<td>Coinsurance</td>
<td>10% / 90%</td>
<td>10% / 90%</td>
<td>10% / 90%</td>
</tr>
</tbody>
</table>

**Deductible and Coinsurance Services**

1. Inpatient-Hospital
2. Outpatient-Hospital or Surgical Center
3. Imaging Other Than X-ray (CT, MRI, PET, etc.)

**Out-of-Pocket Maximum Information** *(applies to all covered services: copay, deductible, coinsurance)*

<table>
<thead>
<tr>
<th></th>
<th>POS A</th>
<th>POS B</th>
<th>POS D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Amount</td>
<td>$4,950/$9,900</td>
<td>$5,950/$11,900</td>
<td>$6,300/$12,500</td>
</tr>
</tbody>
</table>
Blue PPO Medical Plan Updates
The Blue PPO Summary is a separate document but it is part of the Medical Care and Prescription Drug Plan Summary Plan Description. Effective January 1, 2021, it is updated as follows:

- Office Visit Copay $20
- Urgent Care Copay $30
- Emergency Room copay $75
- Deductible (per person) $650
- Out-of-Pocket Maximum (per person) $2,000

Coverage Information Prescription Drug Benefits Section
Under the heading Specialty Medications, references to BriovaRx have been changed to OptumRx.

Effective January 1, 2021, the prescription drug copay information has been modified as follows:

Copay Information Rx Plan 1 (included with medical plans POS A, POS B, Blue PPO)
Under Rx Plan 1, you have “first dollar coverage,” meaning there is no annual deductible to meet before the plan begins to pay benefits.

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>WEGMANS PHARMACY</th>
<th>OTHER RETAIL(1)</th>
<th>OPTUMRX MAIL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>30-day supply, no limit on fills</td>
<td>90-day supply</td>
<td>30-day supply, up to 3 fills</td>
</tr>
<tr>
<td>Tier 1: Generic Drugs</td>
<td>$15.00</td>
<td>$37.50</td>
<td>$17.00</td>
</tr>
<tr>
<td>Tier 2: Brand Name Formulary Drugs</td>
<td>$35.00</td>
<td>$87.50</td>
<td>$40.00</td>
</tr>
<tr>
<td>Tier 3: Brand Name Non-Formulary Drugs</td>
<td>$50.00</td>
<td>$125.00</td>
<td>$60.00</td>
</tr>
</tbody>
</table>

Copay Information Rx Plan 2 (included with medical plan POS D)
Under Rx Plan 2, there is a $1,250 annual per person annual deductible. This means that, until you meet your deductible, you will pay the full cost of the medication; once you meet your deductible, you will pay copays for your medications for the remainder of the plan year. You should show your card when you purchase prescriptions so you receive any negotiated discounts and so OptumRx can track the $1,250 deductible.

<table>
<thead>
<tr>
<th>CATEGORY</th>
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<tr>
<td>Annual Deductible</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tier 1: Generic Drugs</td>
<td>$25.00</td>
<td>$62.50</td>
<td>$30.00</td>
</tr>
<tr>
<td>Tier 2: Brand Name Formulary Drugs</td>
<td>$70.00</td>
<td>$175.00</td>
<td>$80.00</td>
</tr>
<tr>
<td>Tier 3: Brand Name Non-Formulary Drugs</td>
<td>$130.00</td>
<td>$325.00</td>
<td>$150.00</td>
</tr>
</tbody>
</table>

The section titled Coverage Changes Related to the COVID-19 Pandemic has been removed.
BENEFLEX

The following new section has been added at the end of the Claims for Benefit Payments section:

**Special Rule for 2020 Health Care and Dependent Care Account Claims**
The grace period for claims incurred for 2020 will end December 31, 2021 instead of March 1, 2021.

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RETIREMENT SAVINGS PLAN

The special provisions as allowed under the federal Coronavirus Aid, Relief, and Economic Security Act (CARES) have expired so they have been removed.

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SICK LEAVE

The summary previously called Sick/Personal Leave and Salary Continuation has been re-named Sick Leave and has been modified to comply with New York State Paid Sick Leave law. The entire revised summary is as follows:

RIT reserves the right to modify or terminate all or any portion of the employee benefits package at any time with or without notice. Such changes automatically will apply to you and your employment relationship with RIT. Participation in these plans is provided to eligible employees, does not constitute a guarantee of employment, and requires continued employment and eligibility.

Introduction
Continuing your income while you are sick or have a non-work related injury is likely one of your top priorities. It is an RIT priority, too. That's why RIT provides Sick Leave benefits; this summary explains the Sick Leave benefits in detail. Sick Leave benefits are self-insured by RIT and paid from RIT’s general assets.

Effective January 1, 2021, New York State introduced Paid Sick Leave to ensure all employees in New York State have access to job-protected paid sick leave. Since RIT had already provided more than the new legally-required amount of paid time for sick leave for regular employees, there is not much that changes.

Important Note About Passwords
Password security is critical due to the confidential, private, and financial data that is available online. The employee/participant/covered family member is responsible for maintaining security of their passwords and adhering to RIT information security polices and standards.

New York State Paid Sick Leave
RIT’s Sick Leave benefit is governed by the rules under New York Paid Sick Leave. This Sick Leave is considered job protected time. Employees cannot be threatened, penalized, discriminated or retaliated against for using New York State Paid Sick Leave. Employees must be returned to the same position, pay and terms of employment as they held before the sick leave was used. Employers may not require the disclosure of any confidential information as a requirement of an employee’s ability to use Sick Leave.

Who is Covered and When
Regular full-time, regular part-time, adjunct, and student employees are all eligible for New York Paid Sick Leave. This summary describes the Sick Leave benefit for regular employees and adjunct employees. There is a separate summary for student employees.

Allowable Reasons for Sick Leave
The following are the allowable reasons to use New York State Sick Leave, which is expanded from RIT’s previous allowable Sick Leave reasons. The employee should notify their supervisor as soon as possible that they will be absent.

1. Any mental or physical illness, injury or health condition of employee or employee’s family member, regardless of whether such illness, injury or health condition has been diagnosed or requires medical care at the time an employee requests the leave.
2. For the diagnosis, care or treatment of a mental or physical illness, injury or health condition of, or need for medical diagnosis or preventive care for such employee or employee’s family member.
3. Absence from work due to domestic violence, sexual offence, stalking or human trafficking for an employee to avail themselves or a family member of services or assistance including:
   (a) To obtain services from a domestic violence shelter, rape crisis center or other shelter or services program.
   (b) To participate in safety planning, temporary or permanent relocation or take other actions to increase the employee’s safety or the safety of a family member.
   (c) To meet with a civil attorney or other social services provider to obtain information and advice on, prepare for or participate in any criminal or civil proceeding.
   (d) To file a complaint or domestic incident report with law enforcement or meet with a district attorney’s office.
   (e) To enroll children in a new school.
   (f) To take other actions as necessary to maintain, improve or restore the physical, psychological or economic health or safety of the employee or the employee’s family member, or to protect those who associate or work with the employee.

**Definition of Family Member**
An eligible family member is defined in the New York State Paid Sick Leave law, as follows:
- the employee’s child, spouse, domestic partner, parent, sibling, grandchild or grandparent
- the child or parent of the employee’s domestic partner

A parent is the biological, foster, step or adoptive parent, legal guardian or person who stood in loco parentis when the employee was a minor child.

A child is the biological, adopted, foster, legal ward or the child of an employee standing in loco parentis.

**Sick Leave for Regular Employees**
All regular full-time and part-time employees are eligible for paid Sick Leave upon hire. Sick Leave is calculated and tracked based on RIT’s fiscal year, July 1 through June 30. The Sick Leave is calculated based on the individual’s scheduled weekly hours and scheduled months/weeks per year. The time is prorated for new hires as well as for those scheduled to work less than 12 months (52 weeks) per fiscal year (except as noted in the Grandfathered Employees section below). Annually, at the beginning of the fiscal year, an eligible employee’s record will reflect the full annual amount of Sick Leave to which they are entitled for the fiscal year.

**Sick Leave for New Hires**
Upon hire, regular employees would be eligible for prorated Sick Leave based on their scheduled weekly hours and how many months are left in the fiscal year.

**Grandfathered Employees**
Employees who were scheduled to work less than 12 months/52 weeks per year as of July 31, 2012 will be grandfathered and will not have prorated Sick time in the following scenarios:
- The employee remains in the grandfathered position with the same scheduled months/weeks,
- The employee remains in the grandfathered position with an increase or decrease in their scheduled months/weeks, or
- The employee changes jobs and increases their scheduled months/weeks.

If the grandfathered employee changes jobs and decreases their scheduled months/weeks or leaves employment and is later rehired into a less than 12 months/52 week position, the Sick Leave will be prorated.
Any employees with questions about their Grandfathered status should contact the RIT Service Center (RSC) as outlined at the end of this summary.

**New York State Paid Sick Leave for Adjunct Employees**
Adjunct employees will accrue New York Paid Sick Leave at a rate of one (1) hour per every thirty (30) hours worked. For adjuncts paid on a salaried basis, your work hours are calculated at a rate of three (3) hours worked for every credit hour taught. If any adjunct paid on a salary basis has a question or concern about this calculation, please contact Human Resources. For adjuncts paid on an hourly basis, actual hours worked are used in the calculation.

New York State Paid Sick Leave will continue to accrue up to a maximum of 56 hours each fiscal year. The maximum amount of time you can use in a fiscal year is 56 hours, if available.

Under the New York State Paid Sick Leave regulations, any remaining Sick Leave will be carried over from year to year. Since an adjunct employee cannot use any more than 56 hours in a fiscal year, the maximum number of hours in the carry-over bank will be 56 hours as of July 1.

*Example 1:* you earned 28 hours in year one and used no time, so 28 hours are carried over. In year two, you earned 30 hours and used no time. Since the current year total remaining hours plus the amount in your carry-over bank is more than 56 hours, your carry-over bank will be 56 hours as of July 1.

*Example 2:* you earned 24 hours in year one and used no time, so 24 hours carried over. In year two, you earned 30 hours and used no time. Since the current year total remaining hours plus the amount in your carry-over bank is less than 56 hours, your carry-over bank will be 54 hours as of July 1.

Your earned Sick Leave balance will remain in place during non-work periods (e.g., summers off) until your RIT employment ends.

Unused Sick Leave, including carryover Sick Leave, will not be paid out to adjunct employees at termination.

**Sick/Personal Leave for Regular Nonexempt Staff Employees**
The following information provides details about Sick/Personal Leave for regular nonexempt employees. The amount of Sick/Personal Leave that RIT provides is generally greater than what New York State requires and is intended to fulfill all requirements of and will be applied in compliance with the New York Sick Leave Law.

In addition to the reasons allowed under the New York State Paid Sick Leave law outlined above, nonexempt employees continue to be eligible to use Sick/Personal Leave for the following reasons:

(a) personal appointments (e.g., teacher conference); or
(b) other time as needed (e.g., car breaks down on the way to work, there is a flood in their basement)

Other than as described above, the Sick/Personal Leave is not intended to be used as pre-planned, full-day or half-day absences; vacation time should be used for pre-planned absences.

The employee should notify the supervisor as soon as possible that they will be absent. If the employee is scheduling a personal appointment, they should notify the supervisor in advance.

The fiscal year Sick/Personal Leave hours will be “front loaded” each July 1st (or upon hire) with the total fiscal year Sick/Personal Leave hours available to the employee.
Employees Scheduled to Work 52 Weeks Per Fiscal Year
To calculate the annual Sick/Personal Leave, the employee’s scheduled weekly hours are multiplied by a factor of 1.8. This factor is used because a regular full-time employee scheduled to work a standard 5-day work week, 52 weeks per year, receives nine (9) Sick days for the fiscal year (9 days per year divided by 5-day week equals 1.8).

Example 1 (full-time):
Scheduled weekly hours = 40
Sick/Personal Leave = 40 x 1.8 = 72 hours per fiscal year

Example 2 (part-time):
Scheduled weekly hours = 20
Sick/Personal Leave = 20 x 1.8 = 36 hours per fiscal year

Employees Scheduled to Work Less Than 52 Weeks Per Fiscal Year
Sick/Personal Leave will be prorated for those who are scheduled to work for less than 52 weeks per fiscal year, except as outlined in this summary for those grandfathered as of July 31, 2012.

For example, an employee hired on or after August 1, 2012 who is scheduled to work 40 hours a week, 44 weeks per year, will have 61.2 hours of Sick/Personal Leave as of each future July 1.

\[
\text{44 weeks / 52 weeks} = .85 \text{ pro-ration factor} \\
40 \times 1.8 = 72 \text{ hours} \times .85 = 61.2 \text{ hours}
\]

If an employee has a reduction in their work schedule (i.e., hours per week and/or weeks per year), the current year front loaded sick leave amount would not change. It would be changed on a prospective basis effective the next July 1.

Using Sick/Personal Leave
To use Sick/Personal Leave, the employee enters the hours used in RIT’s timekeeping system, Kronos, and is paid for the hours; if the employee is unable to enter the time, the supervisor can enter the Sick/Personal Leave hours used. The Sick/Personal Leave balance will decrease as Sick/Personal Leave is used. Employees will be able to view the remaining Sick/Personal Leave through Oracle Employee Self-Service on the online payslip.

For example, full-time employee works 40 hours a week 52 weeks per year, so receives 72 hours of Sick/Personal Leave as of July 1. If the employee is out sick on July 25 for eight (8) hours, the Sick/Personal Leave amount will show 64 hours remaining on the next online payslip (72 hours less 8 hours).

An employee cannot use more than 56 hours of continuous Sick/Personal Leave, unless the Sick/Personal Leave is being used to supplement pay to bring to 100% of pay when approved for short-term disability, Workers Compensation, FMLA, or NYS Paid Family Leave.
Limited Sick/Personal Leave Carry Over to Next Fiscal Year
For a regular nonexempt employee whose new fiscal year's front loaded hours are less than 56 hours and the employee has remaining Sick/Personal Leave hours as of June 30, the carry-over amount is such that the employee would have up to, but no more than, 56 hours of Sick/Personal Leave for the upcoming fiscal year. In other words, the total of the upcoming fiscal year's front loaded amount plus a carry-over amount (if available and if necessary) would be no more than 56 hours.

- **Example 1:** On the previous July 1, 30 hours was front loaded. If the employee used no time, the carry-over would be limited to 26 hours since the new fiscal year's front loaded amount of 30 hours plus the partial carry-over of 26 is 56 hours.

- **Example 2:** On the previous July 1, 30 hours was front loaded. The employee used 12 hours. The carry-over would be the full balance of 18 hours since the new fiscal year's front loaded amount of 30 hours plus the balance of 18 hours is 48 hours, which is less than 56 hours maximum.

For employees who are front loaded 56 or more hours of Sick/Personal Leave, carry-over will not be permitted and the Cash-Out procedure described below will be applied.

If the employee has a carry-over amount, RIT would provide the Sick/Personal Leave Cash-Out provision as described below.

Cash-Out of Sick/Personal Leave for Nonexempt Staff Employees After Fiscal Year End
RIT provides a Sick/Personal Leave Cash-Out provision, but in no event will RIT require any nonexempt employee to forgo any Sick/Personal leave required to be carried over in accordance with New York State law.

If a nonexempt employee does not use all of their Sick/Personal Leave hours by the end of the fiscal year, the cash-out would be as follows:

Employees will receive a cash-out of a portion of the current year's unused Sick/Personal Leave hours, except as noted below for the fiscal year ending June 30, 2020. The cash-out will be automatically contributed as an employee contribution to the RIT Retirement Savings Plan, unless the employee elects to receive the cash-out as additional taxable pay.

Beginning with the fiscal year ending June 30, 2022, if the employee's fiscal year front loaded Sick/Personal Leave hours are less than 56 hours and the employee has remaining Sick/Personal Leave hours at the end of the fiscal year, any unused Sick/Personal Leave hours for that fiscal year, up to the difference between the employee’s Sick/Personal Leave hours frontloaded for the subsequent fiscal year and 56, will carry over to the new fiscal year. The cash-out for the current fiscal year would be based on any remaining Sick/Personal Leave hours that remain after the carry-over.

- **Fiscal Year ending 6/30/2021 Example:** On July 1, 2020, 30 Sick/Personal Leave hours was front loaded. If the employee used no time, the carry-over would be limited to 26 hours since the new fiscal year's front loaded amount of 30 hours plus the partial carry-over of 26 is 56 hours. The cash-out would be based on the full remaining 30 hours.

- **Fiscal Year ending 6/30/2022 Example:** On July 1, 2021, 30 Sick/Personal hours was front loaded. If the employee used no time, the carry-over would be limited to 26 hours since the new fiscal year's front loaded amount of 30 hours plus the partial carry-over of 26 is 56 hours. The cash-out would be based on the remaining 4 hours (30 hours remaining less 26 hours carried over).
If contributed to the employee’s retirement account, the cash-out would be pre-tax and equal to three-quarters (¾) of the value of the employee unused Sick/Personal Leave hours. If taken as taxable pay, the cash-out would be one-half (½) of the value of the employee’s unused Sick/Personal Leave hours. If the employee does not have an account under the Retirement Savings Plan, the cash-out would be a taxable payment equal to one-half (½) of the value of the employee’s unused Sick/Personal Leave hours.

The retirement plan contribution is subject to FICA tax. To avoid the confusion, and in some cases financial hardship, we will minimize the impact of the required tax withholding. We will set the cash-out up as follows:

- 90% of the cash-out amount will be contributed to the retirement plan;
- 10% of the cash-out will be paid in cash. This 10% will cover the 7.65% FICA tax as well as the additional Federal and state income tax on the cash portion.

Example: Mary is full-time and works 8 hours a day for a total of 40 hours per week, 52 weeks per year at an hourly rate of $15; she is eligible for 72 hours of Sick/Personal Leave each fiscal year. She used only three (3) Sick days (24 hours) so she has 48 hours remaining, with a total value of $720.

The total value of the ¾ cash-out amount to the retirement plan is $540. To cover the FICA taxes that are required on the contribution, the retirement plan contribution will be 90% of this amount or $486. The remaining $54 would be as taxable pay to cover the $41.31 of FICA tax. If Mary elected the cash-out in taxable pay, the amount would be $360 before Federal, FICA, and state taxes are withheld.

Employees who would like the cash-out as taxable pay would make their election in Oracle Employee Self-Service. The functionality will be available from early May through June 30 each year. The cash-out is generally paid in mid-August.

In order to qualify for that year’s cash-out, an employee must be employed on June 30th. If June 30th falls on a weekend, the employee must be employed on the last business day of June. Employees who retire on June 30 (or the last business day of June if June 30 falls on a weekend) are eligible for the cash-out. An employee who transfers from their regular nonexempt position to a different position that is not a regular nonexempt position (e.g., exempt position) during the year will not qualify for a cash-out. In addition, there will not be a cash-out in the event of termination of employment, including retirement, during the year.

Special Rule for the Fiscal Year Ended June 30, 2020
Due to the financial impact of the COVID-19 pandemic, the university made a one-time change in the procedure for the Sick time cash-out for nonexempt employees. If a nonexempt employee had any remaining Sick time as of June 30, 2020, the time was automatically carried over to next fiscal year instead of being cashed out. If any sick time remains from the June 30, 2020 carry-over as of June 30, 2021, it will be included in the cash-out as of June 30, 2021.

Sick Leave for Regular Exempt Staff and Faculty (Salaried)
The following information provides details about Sick Leave for exempt employees. This time was formerly called Salary Continuation. We have changed the name to be consistent with the New York Sick Leave law’s terminology. The amount of Sick Leave that RIT provides is greater than what New York State requires.

The fiscal year Sick Leave hours will be “front loaded” each July 1st (or upon hire) with the total fiscal year Sick Leave hours available to the employee.
Employee is Scheduled to Work 12 Months Per Fiscal Year
To calculate the annual Sick Leave, the employee's scheduled weekly hours are multiplied by a factor of 2.4. This factor is used because a regular full-time employee scheduled to work a standard 5-day work week, 12 months per year, receives 12 Sick days for the fiscal year (12 days per year divided by 5-day week equals 2.48).

Example 1 (full-time):
Scheduled weekly hours = 40
Sick Leave = 40 x 2.4 = 96 hours per fiscal year

Example 2 (part-time):
Scheduled weekly hours = 20
Sick Leave = 20 x 2.4 = 48 hours per fiscal year

Employee is Scheduled to Work Less Than 12 Months Per Fiscal Year
Sick Leave will be prorated for those who are scheduled to work for less than 12 months per fiscal year, except as outlined above for those grandfathered as of July 31, 2012.

For example, an employee hired on or after August 1, 2012 who is scheduled to work 40 hours a week, 10 months per year, will have 61.2 hours of Sick Leave as of each future July 1.

\[
\frac{10\text{ months}}{12\text{ months}} = .83 \text{ pro-ration factor} \\
40 \times 2.4 = 96 \text{ hours} \times .83 = 79.68 \text{ hours}
\]

If an employee has a reduction in their work schedule (i.e., hours per week and/or months per year), the current year front loaded sick leave amount would not change. It would be changed on a prospective basis effective the next July 1.

Using and Tracking Sick Leave
When an exempt employee is not working due to an eligible sick leave reason, there is no impact on pay; regular pay continues when an exempt employee is absent from work due to an eligible reason.

Sick Leave is tracked in Oracle Employee Self-Service with the absence type called Ex Illness Accrual. Exempt employees must submit their time in order for RIT to comply with the law. Sick Leave absences are tracked in hours and the absence is entered in the same manner as vacation absences. The minimum increment of time that can be taken is four (4) hours or one-half the employee’s scheduled shift, whichever is less. For help with entering time, refer to the Employee User Guide found on the HR website.

An employee cannot use more than 56 hours of continuous sick leave, unless the sick leave is being used to supplement pay to bring to 100% of pay when approved for short-term disability, Workers Compensation, FMLA, or NYS Paid Family Leave.

Limited Sick Leave Carry Over to Next Fiscal Year
For a regular exempt employee whose new fiscal year’s front loaded hours are less than 56 hours and the employee has remaining Sick Leave hours as of June 30. The carry-over amount is such that the employee would have up to, but no more than, 56 hours of Sick Leave for the upcoming fiscal year. In other words, the total of the upcoming fiscal year’s front loaded amount plus a carry-over amount (if available and if necessary) would be no more than 56 hours.

- Example 1: On the previous July 1, 48 hours was front loaded. If the employee used no time, the carry-over would be limited to 8 hours since the new fiscal year’s front loaded amount of 48 hours plus the partial carry-over of 8 is 56 hours.
• Example 2: On the previous July 1, 48 hours was front loaded. The employee used 40 hours. The carry-over would be the full balance of 8 hours since the new fiscal year’s front loaded amount of 48 hours plus the balance of 8 hours is 56 hours, which is less than 56 hours maximum.

For employees who are front loaded 56 or more hours of Sick/Personal Leave, carry-over will not be permitted.

Unused Sick Leave, including carryover Sick Leave, will not be paid out to exempt employees at termination.

**Grandfathered Sick Bank**
An employee who was a regular RIT employee and who had unused Sick Leave as of June 30, 2005 had a Grandfathered Sick Bank. An employee who still has a remaining Grandfathered Sick Bank can use it for the purposes outlined below.

- Nonexempt employees can use the Grandfathered Sick Bank as sick time if they are absent after they use the current year’s Sick Leave.
- Nonexempt and exempt employees can use the Grandfathered Sick Bank to supplement the 80% short-term disability (STD) benefit if STD is longer than eight (8) weeks to bring them to 100% of base pay.
- A nonexempt or exempt employee on Workers Compensation for more than eight (8) weeks can use the Grandfathered Sick Bank to supplement the statutory Workers Compensation benefit to bring them to 100% of base pay.
- Nonexempt and exempt employees may use the Grandfathered Sick Bank when absent for their own serious health condition when approved under FMLA.
- Nonexempt and exempt employees may use the Grandfathered Sick Bank when taking care of a qualified family member with a serious health condition when approved under FMLA.
- Nonexempt and exempt employees may use the Grandfathered Sick Bank to supplement New York State Paid Family Leave to bring them to 100% of base pay.

An employee must use the current year’s Sick Leave before using the Grandfathered Sick Bank.

Any time from the Grandfathered Sick Bank is used “1-for-1” meaning that you will use one day to supplement any portion of a day absent from work. For example, if you are receiving the 80% STD benefit and supplement with the Grandfathered Sick Bank, you will use one Grandfathered Sick Bank day for each day you supplement the 80% STD benefit.

Grandfathered Sick Bank is not cashed out upon termination of employment or retirement and is not reinstated if you are rehired at a later time.

**Other Information Regarding Absences**

**Absence Reporting**
Employees who are unable to report to work should notify (or have someone else notify, if unable) their immediate supervisor prior to the start of their scheduled reporting time and, to the extent feasible, provide as much notice as possible. You do not need to give details about your medical condition, just let your supervisor know that you are unable to work.
**Sick Leave During University/Building Closing**
If the university closes or a building closes for the day, opens late, or closes early (e.g., weather-related, power outage in a building) when an employee is not at work using Sick Leave, the time due to the closing will be counted as Sick Leave.

**Extended Illness**
When an employee’s non-work-related illness or injury extends beyond seven (7) consecutive calendar days, the employee must apply for Short Term Disability benefits (refer to Short Term Disability summary).

**Other Absence Benefits Related to Family Members**
In addition to Sick Leave, there are other family-related absence benefits available. The employee may qualify for leave under the Family and Medical Leave Act (FMLA) and/or New York State Paid Family Leave (NYS PFL). Refer to those summaries for more details. Please note that the definition of eligible family member differs under FMLA, NYS PFL and the New York State Paid Sick Leave benefit.

**Sick Leave and Retirement Transition Program**
Employees participating in the Retirement Transition Program continue to be eligible for Sick Leave. The amount of Sick Leave will be prorated on a prospective basis based on the work schedule while on Retirement Transition.

**Sick Leave While on Approved Leave of Absence**
Sick Leave is not available while on an approved leave of absence, other than as a supplement to NYS Paid Family Leave or Federal Family Medical Leave. When a leave of absence crosses over into a new fiscal year, the employee may not use the new fiscal year’s Sick Leave until he/she physically returns to work, except as required by applicable law.

**If You Have Questions**
If you have any questions about Sick Leave or the Grandfathered Sick Bank, contact the RIT Service Center (RSC). To get answers to your questions, please

- Visit the RIT Service Center portal at help.rit.edu where you can ask questions and find answers immediately.
- If you cannot find what you are looking for, you can
  - chat online with a representative through the RSC portal,
  - click on Report Issue / Ask Question to submit your question, or
  - call the RSC at 585-475-5000.

You can access the RSC online portal 24 hours a day. The RSC staff is available for online chats and by phone Monday through Friday 7:30 a.m. to 5:00 p.m. Eastern Time.
EDUCATIONAL BENEFITS

Tuition Waiver Updates
The following section under Family Member in the Tuition Waiver section is updated to read as follows:

Course of Study for Family Members –The course of study eligibility is based on your adjusted date of hire, as follow:

• If your adjusted date of hire is prior to January 1, 2006, Tuition Waiver for your eligible family members is provided for most RIT undergraduate programs, provided the student is matriculated in a program, unless noted in the Exclusions section below. In addition, Tuition Waiver for your eligible family members is provided for most RIT graduate programs, unless noted in the Exclusions section below. Please note that Tuition Waiver for graduate courses is subject to tax. Refer to the Taxability of Tuition Waiver section below.

If a family member is enrolled in an accelerated undergraduate/graduate dual degree program (e.g., BS/MS), when the student's enrollment status changes from undergraduate to graduate, the Tuition Waiver benefit will be taxable, even for undergraduate classes. Refer to the Taxability of Tuition Waiver section below for more information.

• If your adjusted date of hire is on or after January 1, 2006, Tuition Waiver for your eligible family members is provided for most RIT undergraduate programs (there is no Tuition Waiver for graduate programs), provided the student is matriculated in a program, unless noted in the Exclusions section below. If the student is enrolled in an accelerated undergraduate/graduate dual degree program (e.g., BS/MS), the Tuition Waiver will be available only when the student is enrolled as an undergraduate student. Once the enrollment status changes to graduate, there would be no further Tuition Waiver benefit, even for undergraduate courses.

In the Taxability of Tuition Waiver section, the following bullet is added:
  o An undergraduate Tuition Waiver for your domestic partner would be taxable.

The If You Have Questions section is modified in its entirety to read as follows:

If you have any questions about RIT's Education Benefits, contact the RIT Service Center (RSC). To get answers to your benefits questions, please

• Visit the RIT Service Center portal at help.rit.edu where you can ask questions and find answers immediately.
• If you cannot find what you are looking for, you can
  o chat online with a representative through the RSC portal,
  o click on Report Issue / Ask Question to submit your question, or
  o call the RSC at 585-475-5000.

You can access the RSC online portal 24 hours a day. The RSC staff is available for online chats and by phone Monday through Friday 7:30 a.m. to 5:00 p.m. Eastern Time.
TIME OFF BENEFITS

The sentence immediately preceding the Earning Vacation section is modified to read as follows:

If the grandfathered employee changes jobs and decreases their scheduled months or leaves employment and is later rehired into a less than 12-month position, the vacation time will be prorated.

In the Vacation Carry-Over section, the last two paragraphs regarding exceptions are modified to read as follows:

The employee’s manager/supervisor should contact their Human Resources Manager no later than June 15 of the fiscal year to review the facts and circumstances. The request should provide details about why the employee could not use the vacation time. In addition, there needs to be a plan in place to ensure the employee is able to use the extra vacation time in the next fiscal year; an exception will not be granted in the subsequent year because the employee could not take all the extra vacation time.

The HR Manager will review the situation with the Benefits Manager to make a determination that ensures consistent treatment.

In the Working on the Observed Holiday section, the following paragraph is added to the after the nonexempt (hourly) staff paragraph:

If the employee is required to work on an RIT-observed holiday and they call in sick, they would be paid with their available Sick/Personal time for the hours they would have worked. They would not be eligible for the holiday hours on the RIT-observed holiday or in the future.

In the Working on the Observed Holiday section, the following paragraph is added to the after the exempt (salaried) staff paragraph:

If the employee is required to work on an RIT-observed holiday and they call in sick, they would be paid with Salary Continuation. They would not be eligible to use holiday time for that day in the future.

The If You Have Questions section is modified in its entirety to read as follows:

If you have any questions about Time Off benefits, contact the RIT Service Center (RSC). To get answers to your benefits questions, please

- Visit the RIT Service Center portal at help.rit.edu where you can ask questions and find answers immediately.
- If you cannot find what you are looking for, you can
  - chat online with a representative through the RSC portal,
  - click on Report Issue / Ask Question to submit your question, or
  - call the RSC at 585-475-5000.

You can access the RSC online portal 24 hours a day. The RSC staff is available for online chats and by phone Monday through Friday 7:30 a.m. to 5:00 p.m. Eastern Time.
SEVERANCE PLAN

The Health Care Benefits (Medical, Dental, Vision and Employee Assistance Program) section is modified in its entirety to read as follows:

Health Care Benefits (Medical, Dental, Vision and Employee Assistance Program)

If you are not eligible to retire from RIT on your termination date, coverage continues until the end of the month in which your employment is terminated (your last day of work). You may continue the same coverage under the Federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) for up to eighteen (18) months. RIT’s COBRA administrator will send you information about your COBRA continuation options. In order to continue coverage, you must elect the COBRA continuation option.

Usually, the COBRA cost for coverage is the full cost plus a 2% administrative charge as allowed under current law. During the Severance Plan payment period, however, RIT will subsidize the COBRA cost. You will pay the employee contribution amount during the Severance Plan payment period; payments will be made on an after-tax basis to RIT’s COBRA administrator. After your Severance Plan payments end, the COBRA cost will be the full cost plus a 2% administrative charge as allowed under current law, for the remainder of the 18 month COBRA period. The rates can change during the COBRA period.

If you are eligible to retire on your termination date, eligibility for benefits would be as a retiree as outlined below.

If you are pre-Medicare, you can continue in the same medical and dental coverage as well as the vision coverage (which is available to all retirees, regardless of Medicare eligibility status). EAP coverage does not continue into retirement; you can continue EAP coverage under COBRA as explained above.

Your retiree benefits contribution amounts will be determined as if you had retired on the date your employment terminated. However, you will pay the employee contribution amount for medical and dental coverage during the Severance Plan payment period; payments will be made on an after-tax basis to RIT’s billing administrator. Beginning the month after your Severance Plan payments end, your medical and dental contributions will be based on the pre-Medicare retiree cost sharing schedules, unless you were under age 55 on your termination date. If you were under age 55 on your termination date, your retiree medical plan contributions will be as though you were age 55; this “as if you were age 55” contribution continues until you attain age 55. This exception only applies if you receive Severance Plan payments upon termination of employment.

If you are Medicare-eligible, and provided you enroll in Medicare Part A and Medicare Part B, RIT provides you with access to supplementary Medicare medical/Rx coverage through a private Medicare Exchange, called Via Benefits. In addition, RIT provides you with financial support through a Health Reimbursement Arrangement (HRA) to help you pay for your coverage and other eligible healthcare expenses.

If you are not enrolled in Medicare Part A and Medicare Part B on your termination date, you can remain in the pre-Medicare medical/Rx coverage on a temporary basis (usually for one or two months) until you are enrolled in Medicare Part A and Part B and the supplementary Medicare coverage through Via Benefits.

If you are pre-Medicare and your spouse/partner is Medicare-eligible or vice versa, the benefits would be as outlined above for each person.

You will find more details about the retiree coverage and cost sharing in the Medical Care and Prescription Drug Plan Summary. Any changes made to the retiree medical benefits after your termination of
employment will apply to you as it would any other retiree who did not leave employment under the Severance Plan.

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**STATUTORY BENEFITS**

**Family Medical Leave Act (FMLA)**

*The Benefits section has been modified to read as follows:*

**Benefits**

FMLA provides up to 12 work weeks of unpaid leave during a 12 month period. If an employee qualifies for paid leave for the absence (such as sick leave, short-term disability or workers compensation), the paid leave and unpaid leave will run concurrently.

If the FMLA-qualifying absence is for a reason that does not qualify for pay continuation as outlined above, the employee may either use vacation time, if available, or take the leave without pay. If the employee has a grandfathered sick leave bank, they may use this time to care for an eligible family member who has a serious health condition when approved under the FMLA or for their own serious health condition when approved under FMLA but not under short-term disability (STD).

During FMLA leave, an employee's job is protected. This means that when you return from an absence covered by FMLA, you must be restored to your original job, or to an equivalent job with equivalent pay and benefits. In addition, your use of FMLA leave cannot result in the loss of any employment benefit that you earned or were entitled to before you used the time off. To qualify for FMLA job protection, you are required to report your absence to Prudential as soon as possible, but without exception, no later than two business days after learning of the need for leave. Refer to the Short-Term Disability summary for details on reporting absences.

For FMLA eligibility purposes, the 12-month period is a rolling 12 months, counted backward from the first day an employee takes FMLA leave.

**New York State Paid Family Leave (NYS PFL)**

*In the How much does NYS PFL Pay? section is updated to read as follows:*

**How much does NYS PFL pay?**

For leaves that begin in 2021, your 2021 benefit is paid at 67% of your average weekly wage up to $971.61, which is 67% of the New York State Average Weekly Wage (NYAWW).

- Your average weekly wage is the average of your gross weekly wage for the last 8 weeks preceding the NYS PFL start date. The average weekly wage includes all pay, including overtime.
- An employee whose annualized pay is over $75,408.84 will receive the maximum weekly benefit, $971.61.
The chart in the *Can I supplement NYS PFL pay?* section has been updated as follows:

<table>
<thead>
<tr>
<th>Types of Supplement</th>
<th>Which Employees Qualify</th>
<th>Rules</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Vacation</strong></td>
<td>Nonexempt &amp; exempt regular staff and 12-month faculty</td>
<td>Employees are allowed to supplement with annual fiscal year vacation, based on the dollar value (if pay over NYS average weekly wage); no manager approval required; employee makes request to benefits specialist, who will coordinate with supervisor and payroll; in cases where the absence crosses fiscal years, employees cannot use the new fiscal year vacation until they have returned to work from NYS PFL. If employee returns to work, the accrual is from July 1 forward; if they don't return to work, there is no vacation owed for the new fiscal year.</td>
</tr>
<tr>
<td><strong>Sick/PDental Leave</strong></td>
<td>Nonexempt staff and co-op students</td>
<td>A nonexempt employee may supplement with available Sick/PDental Leave. A co-op student may use their available sick time hours to supplement NYS PFL benefits. Employee and co-op student makes request to the benefits specialist, who will coordinate with the supervisor and payroll. In cases where the absence crosses fiscal years, employees cannot use the new fiscal year Sick/PDental Leave time until they have returned to work from NYS PFL. If employee returns to work, the Sick/PDental Leave time becomes available; if they don't return to work, there is no Sick/PDental Leave time owed for the new fiscal year. A similar rule applies for the sick time for co-op students.</td>
</tr>
<tr>
<td><strong>Sick Leave</strong></td>
<td>Exempt regular staff &amp; faculty</td>
<td>Regular exempt staff and faculty are allowed to supplement with their available Sick Leave to care for a sick family member. The employee makes request to the benefits specialist, who will coordinate with the supervisor and payroll.</td>
</tr>
<tr>
<td><strong>Grandfathered Sick Leave</strong></td>
<td>Nonexempt &amp; exempt regular staff and faculty who had sick leave remaining as of 6/30/2005 (and have not used it all)</td>
<td>Employees are allowed to use up to full amount banked; used 1:1. Nonexempt employees are required to use current year Sick Leave first. The employee makes request to the benefits specialist, who will coordinate with the supervisor and payroll.</td>
</tr>
</tbody>
</table>
Workers’ Compensation Section
The Contact List in the Procedures has been edited with new contact information for the case manager as follows:

Contact List
PJ Britt, Human Resources – 475-2429
Sue Hill, Nurse Case Manager – Future Comp – (716) 314-2077

<table>
<thead>
<tr>
<th>Life Threatening/Serious Injury</th>
<th>Non-Life Threatening/Non Serious Injury – requiring medical care</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Immediately contact Public Safety at 475-3333.</td>
<td>• Immediately call RIT’s Case Manager, Sue Hill at Future Comp – (716) 314-2077. Sue will set up a medical appointment based on urgency of care required.</td>
</tr>
<tr>
<td>• Supervisor contacts PJ Britt by phone in RIT Human Resources immediately at (585) 475-2429. If after hours, leave a message.</td>
<td>• If you cannot reach Sue, call one of the following Urgent Care Facilities- ( \text{Rochester Immediate Care} ) ( (585) \ 225-5252 - 2745 \ W. \ Ridge Rd ) ( (585)444-0058 – 2685 \ E. \ Henrietta Rd. ) ( (585)388-5280 - 2226 \ Penfield Rd )</td>
</tr>
<tr>
<td>• If PJ is unavailable during business hours, contact Sue Hill at Future Comp at (716) 314-2077.</td>
<td>• \text{After Hours:} \ \text{Rochester Immediate Care} \ M-F 9am-9pm/Weekends 9am-8pm</td>
</tr>
<tr>
<td>• Complete Employee Accident Report in full and email (<a href="mailto:pjbpsn@rit.edu">pjbpsn@rit.edu</a>), fax (475-7170) or hand-deliver to PJ Britt.</td>
<td>• If employee is being directed immediately for medical care and cannot/should not drive, provide transportation to the appointment.</td>
</tr>
<tr>
<td>• Note: In these situations, the employee will most likely not be available to sign the accident report form….please forward the report anyway. Have the employee sign a copy when they are able to return to work.</td>
<td>• Complete Employee Accident Report and email (<a href="mailto:pjbpsn@rit.edu">pjbpsn@rit.edu</a>), hand-deliver or fax (475-7170) to PJ Britt.</td>
</tr>
</tbody>
</table>

Note: Waiting times in Urgent Care Facilities are generally much less than an ER. Please note-you may have a nominal wait time as these facilities do accept pre-scheduled appointments.
The following new section has been added:

Worker’s Compensation Claim Awards
Beginning July 1, 2021, injured employees who receive a monetary award from the Worker’s Compensation Board have the right to elect direct deposit payments for:

- New lost time or death benefits awarded on or after July 1, 2021
- Lost time payments that extend beyond 26 six weeks and transition from RIT payment to Future Comp payment on or after July 1, 2021

To make this election, you must complete, sign and return the Direct Deposit Authorization Form to Future Comp at 726 Exchange Street, Suite 618 Buffalo, NY 14210. For questions about the form, please contact fmla@rit.edu, call (585) 475-2424 or Future Comp at (716) 314-2000.